

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

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JULIA HUBBARD and KAYLA	)	
GOEDINGHAUS,	)	
Plaintiffs,	)	
v.	)	Case No. 5:23-cv-00580-FB
TRAMMELL S. CROW, JR.; BENJAMIN TODD	)	
ELLER; RICHARD HUBBARD; MELISSA	)	
MILLER; SCOTT WOODS; MRUGESHKUMAR	)	Judge: Hon. Fred Biery
SHAH; MICHAEL CAIN, COE JURACEK,	)	Date Action Filed: May 8, 2023 (transferred)
PHILIP ECOB, H.J.COLE; CODY MITCHELL;	)	
KURT KNEWITZ; RALPH ROGERS; ROBERT	)	
PRUIT; SCOTT BRUNSON; CASE GROVER;	)	
RICHARD BUTLER; MICHAEL HYNES, JR.;	)	
SHAWN MAYER; JADE MAYER; AARON	)	
BURLINGAME; and RCI HOSPITALITY	)	
HOLDINGS, INC.,	)	
Defendants.	)	
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**PLAINTIFFS' SUPPLEMENTAL STATEMENT CONCERNING SERVICE OF**  
**DEFENDANT RICK HUBBARD**

On February 13, 2024, the Court directed Plaintiffs to serve certain Defendants, including Defendant Rick Hubbard (“Rick Hubbard”), with the summons, complaint, notice of transfer, and amended complaint by March 5, 2024. (Dkt. No. 278.) After being unable to serve Rick Hubbard by traditional means, Plaintiffs moved on May 5 to serve Rick Hubbard by Facebook pursuant to Texas Rule of Civil Procedure (“Rule”) 106(b)(2), which allows a party to seek such alternative service where that party lists “any location where the defendant can probably be found” and where such service was unsuccessful. (*See* Dkt. No. 289.) *See* Tex. R. Civ. P. 106(b)(2). The Court granted Plaintiffs’ motion on March 21, 2024, (Dkt. No. 294) and Plaintiffs served Rick Hubbard through his Facebook accounts on March 26, 2024 (Dkt. No. 305).

On April 2, 2024, during a discovery meet-and-confer, counsel for Defendant Trammell Crow (“Crow”) raised that, based on materials that Plaintiff Hubbard produced in discovery, it appeared in early February that Plaintiff Julia Hubbard knew of another location of Rick Hubbard, and that he was staying with Defendant Kurt Knewitz (“Knewitz”). However, Plaintiffs disclosed this in their motion for substitute service, that Rick Hubbard was “potentially residing with former Defendant Kurt Knewitz.” (Dkt. No. 289 at 2.) But as also described in Plaintiffs’ motion for substitute service, Plaintiffs were unable to confirm this information and Plaintiff Hubbard no longer believed that Rick Hubbard was staying with Defendant Knewitz (if he ever was) at the time that Plaintiffs attempted service—accordingly, they attempted service, after various attempts by their process server to locate Rick Hubbard, at what they believed was the “best possible” address for Rick Hubbard, at his former address of 28827 Fine Road. (*Id.*)

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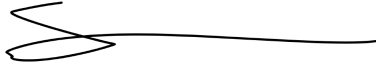
Dated: Tiburon, California  
April 5, 2024

By:   
Matthew W. Schmidt\*  
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**CERTIFICATION OF SERVICE**

I hereby certify by my signature below that a true and correct copy of the foregoing document was served on all attorneys of record via ECF on this 5th day of April 2024.

Dated: Tiburon, California  
April 5, 2024

A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line.

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Matthew W. Schmidt  
Attorney for Plaintiffs